IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

FRIDAY THE TWENTY SEVENTH DAY OF OCTOBER TWO THOUSAND AND SIX

: PRESENT:

THE HON'BLE SRI JUSTICE: **GOPALAKRISHNA TAMADA**

SECOND APPEAL. No. 1020 of 2006

(Second Appeal u/s. 100 of C.P.C. R/w. Order 42 Rule 1 of CPC against the decree and judgment of the Court of the V Additional District Judge (FTC), at Nizamabad made in A.S.No.1/2005 dt. 14-06-2006 preferred against the decree and judgment of the Court of the Principal Junior Civil Judge at Nizamabad made in OS.No.220 of 2001 dt. 31-07-2004)

Between:

S.Balaiah, S/o. Rajaiah.

Appellant

AND

1. L.Venugopal, S/o. L.Sadanandam, R/o. 4-4-73, Jawahar Z Road, Nizamabad.
2. L.Satish Kumar, S/o. L.Sadanandam, R/o. 4-4-73, Jawahar X Road, Nizamabad, rep. by his GPA Holder Sri L.Venugopal, S/o. L.Sadanandam, R/o. 4-4-73, Jawahar X Road, Nizamabad.

Respondents

The Second Appeal coming on for hearing upon perusing the Grounds filed therein and the order of the High Court dated. 28-09-2006 made herein and upon hearing the arguments of Sri Praveen Vyapari, Advocate for the Appellant and of Sri M.S.Ramachandra Rao, Advocate on behalf of the Respondents.

The Court made the following **ORDER:**

" The suit is one for eviction of the appellant-defendant from the suit schedule mulgi. Both the Courts concurrently held that the appellant-defendant is to be evicted from the suit schedule mulgi. Aggrieved by the same, the defendant filed the second appeal.

This Court, while ordering notice before admission on 28-09-2006, granted interim stay as prayed for.

Today morning when the matter was called for hearing, none appeared for the appellant nor any representation was made on his behalf. Again, in the afternoon, when the matter was called, none appeared for the appellant nor any representation was made on his behalf. Learned counsel for the respondents is present.

In the aforementioned circumstances, I do not find any valid reason to continue the interim order and accordingly the interim order granted by this Court on 28-09-2006 is vacated."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The V Additional District Judge (FTC), at Nizamabad.
2. The Principal Junior Civil Judge at Nizamabad.
3. L.Venugopal, S/o. L.Sadanandam, R/o. 4-4-73, Jawahar Z Road, Nizamabad.
4. L.Satish Kumar, S/o. L.Sadanandam, R/o. 4-4-73, Jawahar X Road, Nizamabad, rep. by his GPA Holder Sri L.Venugopal, S/o. L.Sadanandam,

R/o. 4-4-73, Jawahar X Road, Nizamabad.

5. One CC to Sri Praveen Vyapari, Advocate(OPUC)
6. One spare copy.

SAH

HIGH COURT

TGKJ

DATED: 27-10-2006

ORDER

SA.NO. 1020 OF 2006

DIRECTION

DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 07-11-2006

HIGH COURT

TGKJ

DATED: 27-10-2006

ORDER

SA.NO. 1020 OF 2006

DIRECTION